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#3/ELECTION
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Hummler
Filed: 10/051,544
Filed: January 18, 2002
For: **SYSTEM AND METHOD FOR BACK-SIDE CONTACT FOR TRENCH SEMICONDUCTOR DEVICE CHARACTERIZATION**

Examiner: Mondt, Johannes P.
Art Unit: 2826
Docket: 8055-115 (P2002, 1082 US E)

Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Office Action dated December 17, 2002, applicant provisionally elects the claims directed towards the Group II (claim nos. 14 to 19), with traverse. Claims 1 to 19 are pending.

As set forth in MPEP §803, if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though the application contains claims to independent and distinct inventions.

Examiner stated that the Group I claims, 1 to 13, are classified in class 438, subclass 243, and the Group II claims, 14 to 19, are classified in class 257, subclass 301. While the

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Dated: Jan 17 '03

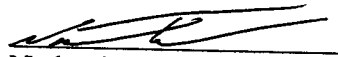

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method of the Group I and the device of Group II may be distinct for the reasons set forth by the Examiner, applicant believes that simultaneous examination will not present an undue burden. For example, under class 438 one is directed to search class 257 when dealing with subject matter in the active solid-state devices, e.g., transistors and solid-state diodes. Similarly, under class 257 one is directed to search class 438 when dealing with subject matter in semiconductor device manufacturing. Under such circumstances, the Examiner is encouraged to maintain all claims in the same application.

Accordingly, withdrawal of the restriction requirement and examination of all claims is respectfully requested.

Respectfully submitted,


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